

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
EASTERN DIVISION  
No. 4:09-CV-77-D

GORDON KENNETH WARREN, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
ERIC HOLDER, in his official capacity as )  
Attorney General of the United States, et al., )  
 )  
Defendants. )

**ORDER**

On May 26, 2010, the court held oral argument on the Attorney General's motion to dismiss or alternatively for summary judgment [D.E. 17], and Warren's motion for summary judgment [D.E. 22]. In open court, Warren moved to dismiss this action without prejudice under Federal Rule of Civil Procedure 41(a), and the Attorney General did not object. Accordingly, as stated in open court, the court GRANTS Warren's motion and DISMISSES this action without prejudice.

SO ORDERED. This 26 day of May 2010.

  
JAMES C. DEVER III  
United States District Judge